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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Sander Jan Hendrik VAN DEVENTER, *et al.*

Serial No.: 10/506,881

Filing Date: September 7, 2004

For: IL-10 GENE TRASFER TO PERIPHERAL
BLOOD MONONUCLEAR CELLS

Examiner: Dr. Louis D. Lieto

Group Art Unit: 1632

Atty Dkt: 28902.0011

Confirmation No.: 6763

Customer No.: 30827

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

2ND PRELIMINARY AMENDMENT and
RESPONSE TO RESTRICTION REQUIREMENT

Dear Sirs:

This paper responds to an Office Action (Restriction Requirement) mailed March 27, 2006.
One claim is being amended herein prior to examination on the merits.

The Examiner has asserted that the claims are directed to four independent inventions, as follows:

- Group I: Claims 1-9, 20-22, drawn to a method for producing mononuclear cells that over-express IL-10, wherein the proliferating agent is an anti-CD3 antibody.
- Group II: Claim 10 drawn to a method for producing a pharmaceutical composition.
- Group III: Claims 11-14, drawn to a composition comprising mononuclear cells containing an IL-10 transgene
- Group IV: Claims 15-17 and 23 drawn to a method of treating a disease.

Applicants are amending one claim, claim 10. A *Listing of Claims* begins at page 2.
Remarks begin at page 5.